

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

LUCILLE CLARK,)
Plaintiff,)
vs.)
KROGER LTD. PARTNERSHIP,)
Defendant.)

No.

C O M P L A I N T

Comes now the plaintiff, Lucille Clark, by Bruce R. Cook and Cook, Bartholomew, Shevlin, Cook & Jones, LLP, her attorneys, and for her Complaint against the defendant, Kroger Ltd. Partnership, respectfully represents unto the Court as follows:

1. On or about June 6, 2020, plaintiff Lucille Clark was a customer at a Kroger grocery store located at 45 Plaza Drive, Anna, Union County, Illinois.
2. On the aforementioned date, while walking in the parking lot to enter the store, plaintiff Lucille Clark tripped on the base of a sign post which had previously broken, causing her to fall to the ground.
3. As a result of this fall, plaintiff Lucille Clark, suffered serious injuries.
4. That at all times mentioned herein, plaintiff Lucille Clark was a resident of Cobden, Union County, Illinois.
5. That at all times mentioned herein, defendant Kroger Company was a foreign corporation, licensed to do business in the State of Illinois, with many locations throughout the State, including St. Clair County, Illinois.
6. That at all times relevant hereto, the defendant had the ownership, control and obligation to maintain the parking lot located at 45 Plaza Drive, Anna, Union County, Illinois.

7. That the broken sign base, which was left in the parking lot, was not marked with warnings or barricades at the time Lucille Clark tripped on it.

8. That at the time plaintiff tripped, the sign base was dark in color, as was the parking lot surface to which it was attached.

9. That the defendant, by and through its agents and employees, was then and there guilty of the following negligent acts or omissions:

- A. Failed to properly maintain its parking lot so it was safe for its customers;
- B. Failed to promptly address a hazard which it knew or should have known existed.
- C. Failed to mark or post a barricade around a hazard;
- D. Failed to promptly replace or repair a sign in its parking lot, creating a hazard for its customers.

10. That as a direct and proximate result of the negligence of the defendant, the plaintiff was caused to suffer injuries hereinafter alleged when while walking on the parking lot of the defendant's premises in Anna, Illinois, the plaintiff tripped on a sign base causing the plaintiff to fall causing her injury, more specifically, to wit: that she suffered injuries to both arms including a comminuted fracture of her right distal radius, and the plaintiff suffered injuries of a severe and permanent nature and she has been prevented from attending to her usual and ordinary affairs and she has expended and will be required to expend great sums while endeavoring to heal and cure her injuries and she has suffered and will continue to suffer pain and she has experienced disability now and will continue to experience disability in the future, all to the damage of the plaintiff in a sum in excess of \$50,000.00.

WHEREFORE, the plaintiff prays damages against the defendant, Kroger Ltd.

Partnership, in a sum in excess of FIFTY THOUSAND DOLLARS (\$50,000.00) plus costs of suit.

Bruce R. Cook

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